


FILED

MAR 01 2019

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY

UNITED STATES DISTRICT COURT

for the

WESTERN District of TEXAS

United States of America)

v.)

DANIEL VESA)

Case No. SA-19-MJ-0243-001

Defendant(s)

CRIMINAL COMPLAINT

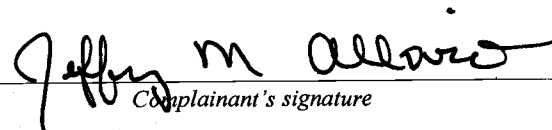
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 28, 2018 in the county of BEXAR in the
WESTERN District of TEXAS, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18/2251(a)	Production of Child Pornography. Penalties: 15-30 yrs imprisonment; Lifetime supervised release; \$250,000 fine; \$100 special assessment; \$5,000 assessment pursuant to JVTA; Restitution, and Forfeiture.
18/2252A(a)(2)	
18/2422(b)	Receipt of Child Pornography. Penalties: 5-20 yrs imprisonment, \$250,000 fine, \$100 special assessment; \$5,000 assessment pursuant to JVTA; Restitution, and Forfeiture

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

Complainant's signature

JEFFREY M. ALLOVIO, TFO, FBI

Printed name and title

- ☒ Sworn to before me and signed in my presence.
☐ Sworn to telephonically and signed electronically.

Date:

3/1/2019

City and state:

SAN ANTONIO, TEXAS

Judge's signature

ELIZABETH S. CHESTNEY, US MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

I, Jeffrey M. Allovio, being duly sworn, depose and say that:

1. I am a Deputy with the Bexar County Sheriff's Office ("BCSO") and am assigned to the to the Federal Bureau of Investigation ("FBI") San Antonio Child Exploitation Task Force ("SACETF") in the San Antonio Division of the FBI where I serve as a Federal Task Force Officer (TFO). I have been a Special Agent and Supervisory Special Agent of the FBI from the period of 1983 to 2017 and formerly supervised crimes against children investigations and child pornography investigations. In my capacity as a member of the SACETF, I am assigned to the Violent Crimes against Children Section and as such, I investigate crimes against children, including the trafficking, possession, and production of child pornography and the sexual exploitation of children. I have received particularized training in the investigation of computer-related crimes, peer-to-peer computer networking, and online (i.e. Internet based) crimes against children. I have been involved in numerous investigations of individuals suspected of producing, distributing and receiving child pornography and have participated in the execution of numerous search warrants which have resulted in the seizure of multiple items of child pornography. I have had the occasion to become directly involved in investigations relating to the sexual exploitation of children, and have gained experience in the conduct of such investigations through formal training and on-the-job training.
2. As a federal task force officer, I am authorized to investigate violations of United States laws and to execute warrants issued under the authority of the United States.
3. This affidavit is being submitted in support of a Criminal Complaint for **DANIEL VESA, date of birth, XX/XX/1982.**
4. The factual information supplied in this affidavit is based upon your Affiant's own investigation of this matter, as well as information provided by other law enforcement officers. Since this affidavit is submitted for the purpose of securing an arrest warrant, it does not include

every fact known to the affiant concerning this investigation. The affiant has set forth facts that he believes establish probable cause to believe that **DANIEL VESA (VESA)**, date of birth, **XX/XX/1982**, has violated the provisions of Title 18, U.S.C., Section 2251 – Production of Child Pornography, Title 18, U.S.C., Section 2252A – Receipt of Child Pornography, and Title 18, U.S.C., and Section 2422(b) – Online Enticement of a Minor.

5. The above captioned case was opened based on information received from the National Center for Missing and Exploited Children (NCMEC) based on information derived from Facebook that a 36-year-old male was enticing an apparent minor to produce and send apparent child exploitation imagery via private messages. Conversations indicate that they may have already engaged in sexual activity. Conversations also indicate that the adult male may have access to the apparent minor as her stepfather. Facebook/NCMEC identified the subject of the communications as Daniel Vesa in San Antonio, Texas, with email address daniel.vesa20@yahoo.com, with Facebook screen name of daniel.vesa.18. The victim was also identified, and the subsequent investigation determined the victim was a minor. For this affidavit, the victim will be referred to as Child Victim (CV).

6. The Facebook chats between Vesa and CV as reported by NCMEC include the following:

January 20, 2019

Vesa: So you horny. So what we doing other than sex.

Vesa: What else you wanna do. Kiss finger head you to me and me to you or what. Let's make it fun. Everything or what.

Vesa: Want to or what. Shave or no.

January 21, 2019

Vesa: Ok you going to shower here then. Remember I'm not going to keep asking you you just come in here and start it all. Wear some sexy shit.

CV: I don't have anything.

Vesa: Nice bra and panties. What are we going to do.

January 24, 2019

Vesa: Look your really pushing the limits with your attitude and still not wanting to do anything so your about to be with out nothing you always say ok and do the opposite. Plus u said 3 times a week and you never want to do it. And that was part of the deal.

CV: Okay sorry

Vesa: That's what you always say us sorry but nothing changes. So do you like fucking or not.

February 2, 2019

CV: We can have sex on Sunday.

Vesa: What kind. Is that what u wanna do. Or u wanna do something different.

Vesa: Who else you fucking.

Vesa: Do u like when I suck your tittys and finger you to start orbno.

Vesa: Are we fucking tomorrow.

Vesa: Do u want to. Can I eat u out. Do you wanna try that. You going to give me pussy today (CV).

7. Additional information provided by NCMEC, which also was based on information from Facebook, included nine videos that were sent from the Facebook account of CV to the Facebook account of Vesa. The nine videos depict an individual fitting the description of CV in the shower in a nude state, masturbating, and openly exposing her genitalia. The videos were produced on or about December 28, 2018. In the chats preceding the videos, Vesa says, "Are we fucking tomorrow?" and "I wanna hear you too."

8. Information derived from the school records identified CV as a student under the age of 17 attending school in San Antonio, Texas. A photograph of CV was included. CV's primary guardian and mother was identified, and is hereafter referred to as "Guardian" for the purpose of this affidavit.

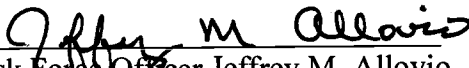
9. An IP address that Vesa used to communicate with CV through Facebook include IP addresses registered by AT&T to Daniel Vesa at his residence in San Antonio, Texas.
10. An IP address that CV used to send a video containing child pornography of CV sent to Vesa through Facebook was an IP address registered to Spectrum on the date of December 28, 2018. Spectrum/Charter indicated the service for that IP address was registered to the Guardian at an address in San Antonio, Texas.
11. A visual review of the pornographic videos sent from CV to Vesa via Facebook were compared to the school picture of CV and driver's license picture of CV and appear identical.
12. On March 1, 2019, FBI San Antonio interviewed CV, and she advised that Vesa has made her engage in sexual relations with him for approximately the past two years; the above-mentioned chats occurred between Vesa and CV; and CV was coerced and persuaded by Vesa to produce the above-mentioned videos on or about December 28, 2019.
13. On March 1, 2019, Daniel Vesa was interviewed by FBI San Antonio. He admitted that the Facebook account under his name was in fact his account that he had for several years.

Application


14. Based on the aforementioned facts, your Affiant respectfully submits that there is probable cause to believe that: (1) on or about December 28, 2018, **DANIEL VESA**, did knowingly employ, use, persuade, induce, entice, or coerce a minor to engage in, or had the minor assist any other person to engage in, sexually explicit conduct for the purpose of producing any visual depiction of such conduct, and which visual depiction was transmitted using any means and facility of interstate and foreign commerce, in violation Title 18, United States Code, Section 2251(a). ; (2) on or about December 28, 2018, **DANIEL VESA**, did knowingly receive child pornography that has been mailed, or shipped or transported in interstate or foreign commerce by any means, including by computer; and (3) on or about the period of December 28, 2018 to February 2, 2019, **DANIEL VESA**, used a facility in interstate commerce to knowingly persuade, induce, entice, or coerce an individual who had not attained the age of 18 years, to engage in any sexual activity for which the person can be charged with a criminal

offense, or attempted to do so. Your affiant respectfully requests that the Court issue an arrest warrant based on the information provided in this affidavit.

FURTHER AFFIANT SAYETH NOT,


Task Force Officer Jeffrey M. Allovio,
Federal Bureau of Investigation
FBI San Antonio Crimes Against Children Task Force

Sworn to and subscribed before me this 1 day of March 2019.


ELIZABETH S. CHESTNEY
UNITED STATES MAGISTRATE JUDGE
WESTERN DISTRICT OF TEXAS